DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

JAN 23 1992

Re: Bepadin and Vascor
Docket No. 91E-0106

#25

Charles E. Van Horn
Patent Policy and Projects Administrator
Office of the Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Crystal Park Building 2, Suite 919
Washington, DC 20231

Dear Mr. Van Horn:

This is in regard to the patent term extension application for U.S. Patent No. 30,577 filed by Riom Laboratories C.E.R.M. under 35 U.S.C. 156. The patent claims the human drug products Bepadin and Vascor, NDA 19-001 and NDA 19-002, respectively.

In the June 24, 1991, issue of the Federal Register, the Food and Drug Administration published its determination of this product's regulatory review period, as required under 35 U.S.C. 156(d)(2)(A). The notice provided that on or before December 23, 1991, 180 days after the publication of the determination, any interested person could file a petition with FDA under 35 U.S.C. 156(d)(2)(B)(i) for a determination of whether the patent term extension applicant acted with due diligence during the regulatory review period.

The 180-day period for filing a due diligence petition pursuant to this notice has expired and FDA has received no such petition. FDA, therefore, considers the regulatory review period determination to be final.

Please let me know if we can provide further assistance.

Sincerely yours,

Ronald L. Wilson

Ronald L. Wilson
Director
Health Assessment Policy Staff
Office of Health Affairs

cc: Kevin B. Clarke, Esq.
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